

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ali AMARA et al.

Application No.: 10/700,507

Filed: November 5, 2003

For: COMPOSITIONS CONTAINING DC-
SIGN BLOCKERS AND METHODS OF
USING DC-SIGN BLOCKERS FOR
PREVENTING OR TREATING
DISEASES OF A MAMMAL,
INCLUDING VIRAL INFECTIONS

Group Art Unit: 1648

Examiner: Stacy Brown Chen

Confirmation No.: 6288

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DEPOSIT DECLARATION

We do hereby declare and say that:

1. We are authorized to sign this declaration on behalf of the Institut Pasteur of Paris, France, and the Institut National de la Recherche Agronomique, of Paris, France, respectively.

2. On information and belief, a hybridoma, which produces the 1B10.2.6 monoclonal antibody disclosed in this application, was deposited on November 7, 2002, under the provisions of the Budapest Treaty at the National Collection of Cultures of Microorganisms (C.N.C.M.) in Paris, France, by the Institut Pasteur and the Institut National de la Recherche Agronomique, and assigned Accession No. I-2951, to assure availability to the public.

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3. On information and belief, a new deposit of the hybridoma, which produces the 1B10.2.6 monoclonal antibody disclosed in this application, was deposited on March 5, 2003, under the provisions of Article 4 of the Budapest Treaty at the National Collection of Cultures of Microorganisms (C.N.C.M.) in Paris, France, by the Institut Pasteur and the Institut National de la Recherche Agronomique, and assigned Accession No. I-2951, to assure availability to the public.

4. On information and belief, the C.N.C.M. has acquired the status of International Depository Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

5. On information and belief, the hybridomas were deposited under conditions that ensure that access to the hybridomas will be available during the pendency of this patent application to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 1.22.


6. On information and belief, Institut Pasteur and Institut National de la Recherche Agronomique will replace the deposited hybridoma that produces 1B10.2.6 should it become non-viable during the period that extends thirty (30) years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

7. On information and belief, the cells will irrevocably and without restriction or condition be released to the public upon the issuance of a patent on this application.

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8. We further declare that all statements made herein of our own knowledge are true; that all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: - 5 AVR. 2006

By: 
Name: **François GENDRE**
Title: **Executive Vice President
Business Development**
For: **INSTITUT PASTEUR**

Dated: 10 Avril 2006

By: 
Name: **Gilles BARITEAU**
Title: **Directeur de l'Unité Contrats
et Propriété Intellectuelle**
For: **Institut National de la
Recherche Agronomique**